

MONTANA LEGISLATIVE HISTORY

Chapter 362 19 93

Bill H _____ S 20 Original bill & history ____C

H. Committee on Judiciary

Hearing Date(s) Mar 10 ✓ C

Mar 16 ✓ C

_____ C

_____ C

Date Out _____ C

S. Committee on Judiciary

Hearing Date(s) Jan 15 ✓ C

Jan 22 ✓ C

_____ C

_____ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____

Report _____

1/29	2ND READING PASSED	46	1
1/30	3RD READING PASSED	40	2
	TRANSMITTED TO HOUSE		
2/01	FIRST READING		
2/01	REFERRED TO JUDICIARY		
3/09	HEARING		
3/12	COMMITTEE REPORT—BILL CONCURRED		
3/17	2ND READING CONCURRED	91	6
3/19	3RD READING CONCURRED	90	8
	RETURNED TO SENATE		
3/24	SIGNED BY PRESIDENT		
3/26	SIGNED BY SPEAKER		
3/29	TRANSMITTED TO GOVERNOR		
4/01	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 239		
	EFFECTIVE DATE: 04/01/93		

INTRODUCED BY BLAYLOCK

ELIMINATE PARTY AFFILIATION REQUIREMENT ON CAMPAIGN MATERIAL

12/29	INTRODUCED		
1/02	REFERRED TO STATE ADMINISTRATION		
1/04	FIRST READING		
1/08	HEARING		
1/13	COMMITTEE REPORT—BILL NOT PASSED		
1/13	ADVERSE COMMITTEE REPORT ADOPTED	31	17
1/13	MOTION FAILED TO RECONSIDER ADOPTION OF ADVERSE COMMITTEE REPORT	20	28

INTRODUCED BY B. BROWN

 PROHIBIT COURT DISPOSITION OF TROUBLED YOUTH REQUIRING
 DEPARTMENT OF FAMILY SERVICES TO SPEND MONEY
 BY REQUEST OF DEPARTMENT OF FAMILY SERVICES

12/29	INTRODUCED		
1/02	REFERRED TO JUDICIARY		
1/04	FIRST READING		
1/04	FISCAL NOTE REQUESTED		
1/08	FISCAL NOTE RECEIVED		
1/08	FISCAL NOTE PRINTED		
1/15	HEARING		
1/28	COMMITTEE REPORT—BILL PASSED AS AMENDED		
1/29	2ND READING PASSED	46	1
1/30	3RD READING PASSED	41	1
	TRANSMITTED TO HOUSE		
2/01	FIRST READING		
2/01	REFERRED TO JUDICIARY		
3/10	HEARING		
3/17	COMMITTEE REPORT—BILL CONCURRED		
3/29	2ND READING CONCURRED	90	7
3/31	3RD READING CONCURRED	94	5
	RETURNED TO SENATE		
4/06	SIGNED BY PRESIDENT		
4/07	SIGNED BY SPEAKER		
4/13	TRANSMITTED TO GOVERNOR		
4/16	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 362		
	EFFECTIVE DATE: 04/16/93		

to the Department to decide. The main concern of SB 23 is having a third party at the interview.

Senator Doherty asked about the confidentiality and the cost of the videotaping. Ann Guilkey said the law enforcement agencies keep the tapes. Statutes protect the videotapes from anyone seeing those tapes except those who need them for treatment reasons. Law enforcement has confidentiality statutes that protects the tapes. The cost would vary depending on the type of videotaping, who wants it, and for what purpose.

Senator Blaylock asked if SB 23 is a result of problems in Montana. Senator Aklestad replied a few problems have arisen. This is not a problem of magnitude, but the Legislators should try to strengthen the law to protect the people who are innocent.

Senator Blaylock asked Senator Aklestad to clarify the strongest reasons of changing SB 23. Senator Aklestad replied the strongest changes in SB 23 is changing the language to read, "reasonable ground to believe," notifying parents four hours after a child is taken, and "having a third party present at the interview."

Senator Halligan stated that by changing the standard to "reasonable cause to believe" a person would have to see a sign of abuse themselves rather than reporting on hearsay. There are differences in terms of the standard of care that the professionals are required to report and will have to follow those standard. There has to be enough reasonable cause to intervene in families and we have to have a higher standard for a reasonable cause to believe.

Closing by Sponsor:

Senator Aklestad stated the child's wellbeing is still the main concern. SB 23 would take care of the concerns of good parents that are being treated under the law but unduly prosecuted. Senator Aklestad further stated that in Montana we are not dealing with a lot of people, but enough to warrant the changes found in the bill.

HEARING ON SB 70

Opening Statement by Sponsor:

Senator Brown, District 2, stated that SB 70 provides that a court may not make a disposition in a child abuse, neglect, or dependency proceeding that requires an expenditure of money by the Department of Family Services, unless the Department approves of the expenditure. The state is facing tight budget restraints and the Department of Family Services is concerned that it may be required by court order to do things that are beyond its mission. Budgeting problems arise when the Department of Family Services is required to pay for services that are not necessary, or when

there are alternative resources available.

Proponents' Testimony:

Ann Gilkey, Department of Family Services, read from written testimony. (Exhibit #1)

Opponents' Testimony:

Ed McLean, District Judges Association and Judge of the Fourth Judicial District, stated there is a problem with legislation that limits the costs for the Department of Family Services. The concerns and objections, are that if a youth needs treatment, we must be able to provide that treatment. If someone brings in a youth who needs care, we can not allow the Department of Family Services to say they can not treat that youth, outside of these parameters without approval.

Jim Smith, Juvenile Probation Officers and Montana Residential Child Care Association, said the concern of SB 70 is the children who are involved in abusive or neglectful situations that would not receive services that they are entitled to. Half way through the fiscal year the Department of Family Services might adopt restrictive policies because of funding. For example one child will not receive care until another child comes out of care. In other words, the Department will not spend a dollar on a child until it quits spending money on another child. These are the realities we have been living with and do not feel SB 70 would help the children.

Richard Meeker, Chief Probation Officer of the first Judicial District, stated that SB 70 will have a future impact on the children that are abused or neglected because they will not receive appropriate services at the earliest possible moment. If the department runs low on funds it would restrict services to needy children. If the money is not available to treat a child who has been abused or neglected, we would have to find another alternative to effectively treat that child.

Joe Connell, Juvenile Probation Officer, stated the interest in SB 70 is that consideration be given to specific language to insure that the mandate given to the Department of Family Services protects the service workers in conjunction with County Attorneys in District Courts. Mr. Connell said that a recommendation that an agency work with the judges in the district courts and have assurance that when the legislation passes the department could refer the children for an opportunity to receive protective services. These services would be recommended by field workers and the professionals doing the evaluating after being decided upon by a district court judge.

Questions From Committee Members and Responses:

Senator Doherty asked Judge McLean if Judge Warner was opposed to SB 70. Judge McLean answer that he was.

Senator Doherty asked Judge McLean about the abuses in the Court. Judge McLean said he is not aware of any abuse. However, it would be an abuse if the Court was ordering the Department of Family Services to pay for services that should not be required or sending out impossible orders because of certain constraints.

Ann Gilkey responded to the same question. When the Department of Family Services receives an order from the District Court they have to carry out the order even if it conflicts with Montana Statutes. With the passage of SB 70 the Department of Family Services could not ignore an order from a District Court Judge, but it would allow the Court and the Department to negotiate on the treatment of a youth.

Senator Doherty asked Ann Gilkey how much so called abuses by the Court have been costing. Ann Gilkey said she could not give a dollar amount. Ann Gilkey stated examples from (Exhibit #1).

Senator Rye asked Senator Towe about Tribal Courts. Senator Towe said on the reservation the tribal court would take precedent over a district court's order. If the parties are subject to tribal court jurisdiction there would not be jurisdiction in a district court.

Senator Rye asked Senator Towe if the state legislature has the authority to dictate to a Tribal Court. Senator Towe said that Indian tribes are a separate sovereign nation from a jurisdictional standpoint.

Senator Blaylock asked Senator Brown why the SB 70 was before the legislature. Senator Brown replied the Department of Family Services is trying to protect its budget in this time of crises and it has less money to spend to accomplish its mission. The Department of Family Services wants to be a party in deciding what services should be in their department. Senator Brown said SB 70 would not be before the legislature if it was not for the budget crises which the State of Montana faces.

Senator Halligan asked Hank Hudson, the Director of Family Services, about the training of the social workers. Mr. Hudson said the Department of Family Services recognizes that treatment plans must be designed realistically so there is a reasonable chance of success. Training is one activity the department has set aside money for. The department needs to stop diverting money that is used to train people, and develop alternative tools for social workers to use so that every case does not end in a treatment plan or a child in foster care.

Senator Halligan asked Mr. Hudson about his thoughts in bringing agencies involved with children together. Mr. Hudson said the

mission of all the agencies that deal with children need to be to keep families together. The coordination of the juvenile justice system has been an issue since the department was created. The best hope in keeping the agencies working together is not by overpowering one, but through cooperation.

Senator Halligan asked Mr. Hudson about a separate notice given to the judges concerning the families financial situation. Mr. Hudson replied that should be done, so if a family has the resources to pay, they would.

Senator Towe asked Ann Gilkey if she would accept a proposed amendment that would read, "any action that requires the expenditure of money by the department may not be ordered without first consulting the department regarding the required expenditures." Ann Gilkey replied that the amendment would help.

Senator Towe asked Ann Gilkey whether the concern was being able to participate in a discussion with a judge so the Department could explain the problems before an order takes place. Ann Gilkey replied that is the main concern. Ms. Gilkey also stated that if a judge ordered something that the department did not think was appropriate they would not have any recourse if SB 70 does not pass.

Senator Towe asked Ms. Gilkey if the Department of Family Services could appeal. Ms. Gilkey replied that the Department can appeal, but has to stay within its budget.

Closing by Sponsor:

Senator Brown told the Committee that Judge McLean would work with the Department of Family Services and Valencia Lane on amendments that Senator Towe proposed.

DEPARTMENT OF FAMILY SERVICES



MARC RACICOT, GOVERNOR

(406) 444-5900
FAX (406) 444-5956

STATE OF MONTANA

HANK HUDSON, DIRECTOR
JESSE MUNRO, DEPUTY DIRECTOR

PO BOX 8005
HELENA, MONTANA 59604-8005

January 15, 1993

DEPARTMENT OF FAMILY SERVICES TESTIMONY IN SUPPORT OF SB 70

Submitted by Ann Gilkey, Legal Counsel

Although great strides have been made, the Department of Family Services continues to struggle as an underfunded, understaffed agency charged with the monumental task of providing protective services to youth, the elderly, and Montanans with developmental disabilities while staying within its limited budget. Scarce resources and skyrocketing caseloads make budget management a nightmarish task for the agency's administrators. Any additional control over the budget would not only be welcomed by the administrators, but should also be encouraged by the public, to whom the agency is accountable.

SB 70 is a budget management bill. It prohibits the court from making ad hoc decisions regarding services for department clients and then ordering the agency to pay for those services without the agency's approval.

Examples of the types of expenditures that this amendment would address include: orders to pay for evaluations, therapy or alcohol treatment of people who have insurance or other resources; orders to pay for expert witness fees that are statutorily charges to the county; paternity testing; and transportation for parents to attend hearings.

Nothing in HB 70 prohibits negotiations regarding payment of some of these types of services. In fact, the agency frequently offers payment when there is no other source for payment, or the agency has an interest in having the service provided. The intent of SB 70 is NOT to deny necessary services to needy clients, but is simply to provide the agency a tool to help it manage its budget.

On behalf of the Department of Family Services, I strongly urge your support of SB 70.

RECEIVED JUDICIAL
FEBRUARY 1
1993
SB 70

Department of Family Services
Proposed Amendment to SB 70

1. Page 4, line 15.

Following "counseling"

Insert: "that does not require an expenditure of money by the
department unless the department approves the expenditure"

RECEIVED

2
1-15-93
SB 70

ROLL CALL

SENATE COMMITTEE

Judiciary

DATE 1-15-93

[illegible]

DATE 1-15-93

SENATE COMMITTEE ON Judiciary

BILLS BEING HEARD TODAY: SB 23 - ^{1 Sen.} Akshatad
S.B. 70 - ^{Sen} Brown

Name	Representing	Bill No.	Check One	
			Support	Oppose
Ann Glibby	DFS	SB 70	X	
M. Mark Lick	LPS Soc Sec	SB 23	X	
HARLEY WARREN	ASSOC. OF CHURCHES	SB 23		
Ed McLean	District Courts	SB 70		X
Dick Meeker	Juv. Prob.	S.B. 70		Y
Jim Smith	Juv. Prob. & MRCCA	SB 70		+
JUDITH CARLSON	MT CHD; N.A. Sec. Wk	SB 23		
J. Joe Conwell	Juv Prob	SB 70		X

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

was enacted by the legislature last session. Subsection D allows a school employee to be a third party in an interview. Ms. Lane said it would be possible for a school employee to be the third party.

Chair Yellowtail told the Committee SB 9 would be taken up at the next executive session.

EXECUTIVE ACTION ON SB 70

Discussion:

Senator Brown told the Committee SB 70 makes it necessary for the Department of Family Services to consult with judges about orders concerning their department.

Senator Brown explained the amendments. (Exhibit #7)

Valencia Lane said after the hearing on SB 70 Judge McClain and Ann Guilkey, Department of Family Services, prepared and agreed to the amendments.

Motion:

Senator Towe moved to amend SB 70.

Discussion:

Senator Halligan told the Committee SB 70 would allow lawyers to argue for a parent to receive treatment, so they would not lose their children. If a judge felt treatment was needed, treatment would be required. If a person was indigent, the treatment would be paid by the Department of Family Services. Senator Halligan said SB 70 would still allow lawyers to state their case.

Vote:

The motion to amend SB 70 CARRIED UNANIMOUSLY.

Motion/Vote:

Senator Brown moved SB 70 DO PASS AS AMENDED. The motion CARRIED UNANIMOUSLY.

EXECUTIVE ACTION ON SB 68

Motion:

Senator Doherty moved to amend SB 68.

ROLL CALL

SENATE COMMITTEE

Judiciary

DATE 1-27-93

NAME	PRESENT	ABSENT	EXCUSED
Senator Yellowtail	X		
Senator Doherty	X		X
Senator Brown	X		
Senator Crippen	X		
Senator Grosfield	X		
Senator Halligan	X		
Senator Harp	X		
Senator Towe	X		
Senator Bartlett	X		
Senator Franklin	X		
Senator Blaylock	X		
Senator Rye	X		

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 27, 1993

MR. PRESIDENT:

We, your committee on Judiciary having had under consideration Senate Bill No. 70 (first reading copy -- white), respectfully report that Senate Bill No. 70 be amended as follows and as so amended do pass.

Signed: Wm Yellowtail
Senator William "Bill" Yellowtail, Chair

That such amendments read:

1. Title, line 9.

Strike: "APPROVES OF THE EXPENDITURE"

Insert: "IS NOTIFIED AND A TIMELY COURT HEARING IS SET; PROVIDING
THAT THE DEPARTMENT IS THE PAYOR OF LAST RESORT;"

2. Page 3, line 15.

Strike: "approves the expenditure"

Insert: "is notified and a court hearing is set in a timely
manner on the proposed expenditure"

Following: "."

Insert: "The department is the payor of last resort after all
family, insurance, and other resources have been examined."

3. Page 4, line 15.

Following: "counseling"

Strike: " ; "

Insert: "that does not require an expenditure of money by the
department unless the department is notified and a court
hearing is set in a timely manner on the proposed
expenditure. The department is the payor of last resort
after all family, insurance, and other resources have been
examined."

4. Page 4, line 19.

Following: "department"

Strike: "approves the expenditure"

Insert: "is notified and a court hearing is set in a timely
manner on the proposed expenditure"

Following: "."

Insert: "The department is the payor of last resort after all
family, insurance, and other resources have been examined."

-END-

Amendments to Senate Bill No. 70
First Reading Copy

Requested by Senator Towe
For the Committee on Judiciary

Prepared by Valencia Lane
January 15, 1993

1. Title, line 9.

Strike: "APPROVES OF THE EXPENDITURE"

Insert: "IS NOTIFIED AND A TIMELY COURT HEARING IS SET; PROVIDING
THAT THE DEPARTMENT IS THE PAYOR OF LAST RESORT;"

2. Page 3, line 15.

Strike: "approves the expenditure"

Insert: "is notified and a court hearing is set in a timely
manner on the proposed expenditure"

Following: "."

Insert: "The department is the payor of last resort after all
family, insurance, and other resources have been examined."

3. Page 4, line 15..

Following: "counseling"

Strike: ";"

Insert: "that does not require an expenditure of money by the
department unless the department is notified and a court
hearing is set in a timely manner on the proposed
expenditure. The department is the payor of last resort
after all family, insurance, and other resources have been
examined."

4. Page 4, line 19.

Following: "department"

Strike: "approves the expenditure"

Insert: "is notified and a court hearing is set in a timely
manner on the proposed expenditure"

Following: "."

Insert: "The department is the payor of last resort after all
family, insurance, and other resources have been examined."

RECEIVED

JAN 27 1993

1-27-93

SB 70

paternity blood testing fees.

Proponents' Testimony:

Mary Ann Wellbank, Administrator, Department of Family Services, Child Support Enforcement Division (CSED), did not testify but was present for questioning.

Opponents' Testimony: None

Questions From Committee Members and Responses: None

Closing by Sponsor: None

HEARING ON SB 70

Opening Statement by Sponsor:

REP. BOB BROWN, Senate District 2, Whitefish, said that SB 70 is an act providing that a court may not make a disposition in a child abuse, neglect, or dependency proceeding that requires an expenditure of money by the Department of Family Services unless the Department is notified and a timely court hearing is set; providing that the department is the payor of last resort.

Proponents' Testimony:

Ann Gilkey, Chief Legal Counsel, Department of Family Services, provided written testimony. EXHIBIT 1

Jim Smith, Montana Juvenile Probation Officers Association (MJPOA), said this bill preserves District Court jurisdiction while providing DFS the tools it needs to manage the budget. He also said that SB 70 is very explicit that DFS shall be the payor of last resort. If parents or families are able to participate financially in the treatment of their children, they should do so. Another good thing about SB 70 is that, if the parents have insurance policies, then those policies should be accessed first; only after those resources are utilized and completed, should DFS require to extend the taxpayer policy.

Opponents' Testimony: None

Questions From Committee Members and Responses:

REP. BIRD asked Ms. Gilkey how much money this bill will save

compared to previous expenditures. Ms. Gilkey explained that DFS did not save any money in the past year as it has over spent its budget.

REP. RUSSELL asked Ms. Gilkey whether the court will have to find a third party to pay bills if there are children who need services but their parents will not pay. Ms. Gilkey said she does not believe that any child will go unserved based on this bill. If a judge thinks DFS should pay and DFS disagrees, there is a way to work it out in court. The intent of this bill is not to deny any family services to children or their families.

Closing by Sponsor: None

EXECUTIVE ACTION ON SB 336

Motion: REP. WYATT MOVED SB 336 BE CONCURRED IN.

Discussion:

REP. BIRD said SEN. YELLOWTAIL proposed a termination date in section 3, page 4 and asked Mr. MacMaster to comment. Mr. MacMaster said the amendment sets the salary for the fiscal year beginning this July 1, 1993, and again, for fiscal year beginning July 1, 1994. He thinks the bill should be passed the way it is; at the end of the second year of the biennium, that salary will be what it will be at that time, and it will remain that way unless the legislature does something to increase it.

REP. BROOKE thinks this is clearly an appropriations bill. REP. RICE said REP. BROOKE has a good argument, but a bill like this doesn't appropriate money, although it does have a fiscal impact. CHAIRMAN FAGG suggested to REP. BROOKE that if she feels it is necessary, she can take her idea to the Rules Committee and see if they want to issue a ruling on whether this bill is appropriately before the Judicial Committee.

Vote: SB 336 BE CONCURRED IN. Motion carried 14-2 with REPS. CLARK and BERGMAN voting no. REPS. WINSLOW and VOGEL were excused.

EXECUTIVE ACTION ON SB 37

Motion: REP. WYATT MOVED SB 37 BE CONCURRED IN.

Discussion:

REP. RICE said he had met with SEN. TOWE to work out compromise language, and REP. RICE proposed four amendments. EXHIBIT 2

Motion: REP. RICE offered the EXHIBIT 2 amendments.

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL

DATE

3-10-93

NAME	PRESENT	ABSENT	EXCUSED
Rep. Russ Fagg, Chairman	✓		
Rep. Randy Vogel, Vice-Chair			✓
Rep. Dave Brown, Vice-Chair	✓		
Rep. Jodi Bird	✓		
Rep. Ellen Bergman	✓		
Rep. Vivian Brooke	✓		
Rep. Bob Clark	✓		
Rep. Duane Grimes	✓		
Rep. Scott McCulloch	✓		
Rep. Jim Rice	✓		
Rep. Angela Russell	✓		
Rep. Tim Savles	✓		
Rep. Liz Smith	✓		
Rep. Bill Tash	✓		
Rep. Howard Toole	✓		
Rep. Tim Whalen	✓		
Rep. Karyl Winslow			✓
Rep. Diana Wyatt	✓		

HR:1993

wp.rollcall.man

CS-09

DEPARTMENT OF FAMILY SERVICES



MARC RACICOT, GOVERNOR

(406) 444-5900
FAX (406) 444-5956

STATE OF MONTANA

HANK HUDSON, DIRECTOR
JESSE MUNRO, DEPUTY DIRECTOR

PO BOX 8005
HELENA, MONTANA 59604-8005

March 10, 1993

DEPARTMENT OF FAMILY SERVICES TESTIMONY IN SUPPORT OF SB 70

Submitted by Ann Gilkey, Legal Counsel

Although great strides have been made, the Department of Family Services continues to struggle as an underfunded, understaffed agency charged with the monumental task of providing protective services to youth, the elderly, and Montanans with developmental disabilities, while staying within its limited budget. Scarce resources and skyrocketing caseloads make budget management a nightmarish task for the agency's administrators. Additional control over the DFS budget is not only desired by the agency, but should also be encouraged by the public, to whom the agency is accountable.

SB 70 is a budget management bill. It restricts the court from making ad hoc decisions regarding services for department clients and then ordering the agency to pay for those services without the agency's input and chance to dispute responsibility for payment.

Examples of the types of expenditures that this amendment would address include: orders to pay for evaluations, therapy or alcohol treatment of people who have insurance or other resources; orders to pay for expert witness fees that are statutorily charges to the county; paternity testing; and transportation for parents to attend hearings.

Because of opposition from the Youth Court judges, Sen. Towe suggested that SB 70 be amended. The department agreed to the compromise language that is presently in SB 70. The amendment will put DFS on notice of any contemplated order that the agency pay for services that it ordinarily would not pay for. The agency will then be able to address its concerns to the court and negotiate the resolution of payment for some of these types of services. If the agency is requiring that the person receive particular services, it does not contest its responsibility to pay for the services, unless there is another reasonable source available. The intent of SB 70 is NOT to deny necessary services to needy clients, but is simply to provide the agency a tool to help it manage its budget.

On behalf of the Department of Family Services, I strongly urge your support of SB 70.

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Judiciary COMMITTEE BILL NO. SB 70
DATE March 10, 1993 SPONSOR(S) B. Brown

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

[illegible]

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

Pascal Redfern, owner of a paralegal business, Missoula, stated he supports SB 4, SB 5, and SB 242. Many people cannot afford attorneys, and paralegals provide the services most people need. People who want to run for judicial branch of office cannot do so because of the Constitution. He would like the people to decide in elections who has the working knowledge to be judges.

John Rice, private citizen, said he supports SB 242 because he believes the general public needs better access to the court system. He also added that many people cannot afford an attorney and that seeking legal advice from a paralegal is just as good.

Opponents' Testimony:

Vicki Soderberg, Executive Director, Montana Paralegals Association, spoke in opposition to SB 242. She said the proponents are making some assumptions about requirements for the Bar that are not true. She said the bill doesn't indicate how changing the oversight structure of the Bar from the Supreme Court to the legislature will assist in providing quality, low-cost legal services.

Patrick Chenovick, Supreme Court Administrator, spoke briefly on SB 4 and SB 5. He said that the current administration of the Bar exam maintains the competency of those individuals licensed. Practicing law - whether paralegal, lawyer or judge - requires qualifications. He urged the committee not to pass this bill.

Informational Testimony: None

Questions From Committee Members and Responses: None

Closing by Sponsor: SEN. BURNETT will close on March 17th as the committee's presence was required on the House floor.

EXECUTIVE ACTION ON SB 70

Motion/Vote: REP. BROWN MOVED SB 70 BE CONCURRED IN. Motion carried 17-1 with REP. WHALEN voting no. REP. BROOKE will carry the bill on the House floor.

EXECUTIVE ACTION ON SB 229

Motion/Vote: REP. BROWN MOVED SB 229 BE CONCURRED IN. Motion carried unanimously 18-0. Rep. Larson will carry the bill on the House floor.

HOUSE STANDING COMMITTEE REPORT

March 16, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Judiciary report that
Senate Bill 70 (third reading copy -- blue) be concurred in .

Signed: *Russ Fagg*
Russ Fagg, Chair

Carried by: Rep. Brooke

Committee Vote:
Yes 17, No 1.

591605SC.Hpf

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL VOTE

DATE 3-16-93 BILL NO. SB 70 NUMBER 18MOTION: Motion to pass carries 17-1

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair	✓	
Rep. Dave Brown, Vice-Chair	✓	
Rep. Jodi Bird	✓	
Rep. Ellen Bergman	✓	
Rep. Vivian Brooke	✓	
Rep. Bob Clark	✓	
Rep. Duane Grimes	✓	
Rep. Scott McCulloch	✓	
Rep. Jim Rice	✓	
Rep. Angela Russell	✓	
Rep. Tim Sayles	✓	
Rep. Liz Smith	✓	
Rep. Bill Tash	✓	
Rep. Howard Toole	✓	
Rep. Tim Whalen		✓
Rep. Karyl Winslow	✓	
Rep. Diana Wyatt	✓	